

REMARKS

Claims 1-35 are all the claims pending in the application.

In the last Office Action, Claims 1, 6-8, 10, 12, 13, 15, 16, 27-29, 32 and 33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Amirpanahi (US 5,648,906). Claims 2-5, 9, 14, 17, 18, 30 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amirpanahi as applied to Claim 1 and further in view of Anthonyson (US 5,737,710). Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Amirpanahi as applied to Claim 1 and further in view of Kielland (US 6,081,206). Claims 19-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amirpanahi as applied to Claim 1 above. Claims 23-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amirpanahi as applied to Claim 1 and further in view of Williams (US 6,081,205). Claim 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Amirpanahi as applied to Claim 1 and further in view of Williams and further in view of Anthonyson. Reconsideration and allowance of Claims 1-35 inclusive are respectfully requested in view of the following remarks.

The independent claims have been amended to clarify that the present invention relates to parking meters, and related systems and methods. The independent claims have also been amended to specify that payment for parking is metered using a variable fee structure that includes "fee units and time units applicable to successive first and second parking periods, wherein the value of the fee units and the length of the time units are selectively and individually varied between the first and second parking periods so that a fee applied to the second parking period is proportionally greater than a fee applied to the first parking period whereby the fee

applied to the second parking period is a self-administered penalty for overstaying the first parking period that is automatically collected when the payment is effected". This amendment is based on the passages on page 17 of the application as filed.

The description at page 1 clearly indicates that the present invention is directed to the problem of simplifying and optimizing both fee and penalty collection for parking meters. The variable fee structure of the present invention is advantageous in that it simplifies and optimizes both fee collection and penalty collection for parking meters without requiring additional manual penalty enforcement and collection manpower, and without unduly penalizing users who only partially overstay the first parking period. The present invention therefore enables the automatic collection of a considerable amount of parking penalty revenue that would otherwise be lost by parking authorities as a consequence of previous manpower-intensive penalty monitoring, detection, issuance, enforcement and collection practices.

In contrast, US 5648906 merely discloses that fees applied by parking meters can be varied based solely on whether the payment is made using coins or charge cards. There is no disclosure or suggestion whatsoever of the variable fee structure now recited in the amended independent claims.

US 5648906 relates to parking meters, while US 5737710 relates to gated parking garages. Fee collection and penalty enforcement are completely different for parking meters and gated parking garages. Fee collection for meters operates on a quasi-honesty basis and therefore requires substantial manual penalty monitoring, detection, issuance, enforcement and collection.

Gated garages rely on entry/exit gates to compel payment of fees/penalties and thereby obviate manual penalty processing and collection.

There is nothing in either reference to suggest their combination. US 5648906 discloses a fee structure for parking meters which varies based on the type of payment, while US 5737710 discloses a fee structure for gated garages which varies based on the time period between gate entrance and exit. There is no suggestion whatsoever in either reference that a payment-type dependent variable fee structure for parking meters should be replaced by or combined with an entrance/exit-time dependent variable fee structure for gated garages, or vice versa.

Even if US 5648906 and US 5737710 are combined, the resulting combination of a fee structure which varies according to payment type and gated entrance/exit time does not teach or suggest all of the limitations of the variable fee structure recited in the amended independent claims.

US 6081206 relates to parking enforcement in which static parking meters are replaced by mobile vehicle-mounted enforcement hardware/software. It is therefore improper to combine the meter-less disclosure of US 6081206 with the meter-centric disclosure of US 5648906. Even if the two references are combined, the resulting combination does not teach or suggest all of the limitations recited in the amended claims.

US 6081205 relates to a parking meter having collateral car battery recharging functionality. To the extent that US 6081205 discloses self-diagnostic capability, it is directed to the collateral car battery recharging, not the parking metering itself. In any case, even if the two

references are combined, the resulting combination does not teach or suggest all of the limitations recited in the amended claims.

In view of the foregoing amendments and arguments it is submitted that Claims 1-35 are clearly patentable over the teachings of the references taken either alone or in combination with each other. Therefore, it is respectfully requested that Claim 1-35 inclusive be allowed and the application passed to issue forthwith.


If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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